

**AN ORDINANCE**

**04- 0 -1553**

**BY ZONING COMMITTEE**

**TO AMEND SECTION 16-28.006(10) OF THE ZONING CODE OF THE CITY OF ATLANTA'S CODE OF ORDINANCES, FOR THE PURPOSE OF CLARIFYING THE REQUIREMENTS RELATED TO INDEPENDENT DRIVEWAYS; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 16-28.006(10) of the Zoning Code currently requires that each conforming lot have an independent driveway; and

**WHEREAS**, the Bureau of Buildings believes that the purpose of this code section was to require that residential lots have driveways and off-street parking where possible; and

**WHEREAS**, the present text of this ordinance allows an automatic exemption for non-conforming residential lots; and

**WHEREAS**, it is in the best interest of the health safety and welfare of the citizens of the City of Atlanta that all reasonable efforts be made to encourage and support the orderly flow of traffic and where possible relieve the parking congestion caused by on-street parking in neighborhoods; and

**WHEREAS**, when applied to commercial lots, this section also requires that all such lots have independent driveways in addition; and

**WHEREAS**, the parking requirements for commercial properties do not require an independent driveway to support the orderly flow of traffic and relieve the parking congestion caused by on-street parking in neighborhoods.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows:

**SECTION 1** That Section 16-28.006(10) of the Zoning Code of the City of Atlanta which reads:

*Independent Driveway Required on Conforming Lot:* Each conforming lot shall have its own independent driveway entirely within its boundaries and directly connected to a public street. No lot shall be considered conforming if it does not have, or cannot be provided with, a driveway meeting this requirement.

be amended such that Section 16-28.006(10) shall read

*Independent Driveway Required for Residential Lots:* Each residential lot shall have its own independent driveway entirely within its boundaries and directly connected to a public street, provided however that an alley may provide such access if the alley is directly connected to a public street. Notwithstanding the foregoing requirement, a residential lot without frontage on a public street or access to an alley shall not be required to have an independent driveway but shall be required to have dedicated access at a minimum width of ten (10) feet. Where an easement is granted for such access, the area of the easement shall be considered in the calculation of the maximum lot coverage of the grantor's lot.